



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED

DOC #:
DATE FILED: 6/30/08

ANDREW M. CUOMO
Attorney General

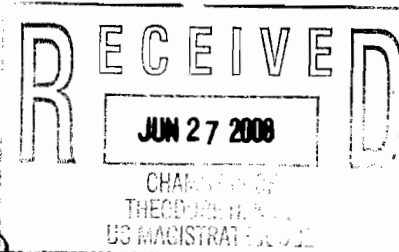
MEMO ENDORSED

LESLIE G. LEACH
Executive Deputy Attorney General
Division of State Counsel
JUNE DUFFY
Assistant Attorney General in Charge
Litigation Bureau

June 27, 2008

By Fax

The Honorable Theodore H. Katz
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1660
New York, New York 10007
Fax: 212-805-7932



Re: Brown v. Flynn, 07-Civ-9789 (RJH)(THK) (pro se)

Dear Judge Katz,

This Office respectfully requests an extension of defendant Parole Officer Rita Flynn's time to respond to the complaint from July 1 to August 1, 2008. As set forth in previous letters, this Office has been conducting a conflict of interest analysis arising from Ms. Flynn's pending Title VII action against the Division of Parole. On June 12, 2008, Ms. Flynn was sent a letter informing her that she was being certified for representation by outside counsel. Yesterday, Ms. Flynn informed this Office that she needed additional time to obtain an attorney, and by extension to respond to the complaint, because of the need to care for an ailing parent. If necessary, Ms. Flynn has indicated that she would be prepared to appear before the Court by telephone on July 3, 2008, to explain her circumstances in additional detail, but respectfully requests that such an appearance be in camera because of its personal nature. The Court has granted four prior extension requests, the first three on behalf of all defendants. This is the first request initiated by Ms. Flynn herself. Plaintiff's consent has not been sought because of his current incarceration status.

Respectfully Submitted,

Steven N. Schulman
Steven N. Schulman (SS-3894)
Assistant Attorney General
(212) 416-8654

cc: Sherman Brown (pro se) (by post)
2008-01530
Orange County Jail
100 Wells Farm Road
Goshen, New York 10924

Parole Officer Rita Flynn (by Fed Ex)
Division of Parole
Peekskill Area Office
1 Park Place, Basement
Peekskill, New York, 10566

*Defendant Flynn's response to
the Complaint will be filed by
August 1, 2008.*

SO ORDERED

6/27/08 *Theodore H. Katz*

Division of State Counsel • Litigation Bureau
120 Broadway, New York, N.Y. 10271-0332 • Phone (212) 416-8610 • Fax (212) 416-8611 • E-mail: litigation@oag.state.ny.us
<http://www.oag.state.ny.us>

COPIES MAILED

TO COUNSEL OF RECORD ON

6/30/08

THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE